

Remarks

Claims 1-10 are pending herein. Claims 5-7 have been withdrawn as being directed to a non-elected invention. By this Amendment, claims 1, 2 and 4 have been amended, and new claims 8 -10 have been added.

Claim 1 has been amended in part to add the units "g/10 min." relative to the MFI. Support for this amendment can be found in the specification at, e.g., page 5, lines 18-20.

Claim 1 has been further amended in part to describe the claimed cross-linkable composition as "slush-moldable". Support for this recitation can be found in the specification at, for example, page 1, line 8; page 2, line 21; page 3, line 17; and page 16, line 13.

Claim 1 has also been amended to state that the claimed composition comprises from 80.9% to 100% by weight of components (A) and (B). Support for the recitation of 80.9% can be found in the specification at, for example, page 19, Example 6. Support for the recitation of 100% can be found, e.g., in the specification at page 13, lines 8-9, wherein the specification states that the compositions of the invention "may also include" various additives. In other words, the phrase "may also include" means that the composition does not require the presence of additives and, therefore, may contain 100% of components (A) and (B).

Claim 1 has further been amended to state that (B) is selected from copolymers of ethylene and an unsaturated epoxide. Support for this recitation can be found, e.g., in claim 2.

Claim 2 has been amended to be consistent with the amendment to claim 1.

Claim 4 has been amended in part so that it depends upon claim 1 rather than claim 2. Claim 4 has been further amended at line 2 therein to delete the term "advantageously".

New claim 8 recites that, in the composition of claim 1, (A) and (B) are present in proportions so as to provide from 0.1 to 1.5 anhydride functional groups per epoxide

functional group. New claim 9 recites that, in the composition of claim 1, (A) and (B) are present in proportions so as to provide from 0.2 to 0.6 anhydride functional groups per epoxide functional group. Support for claims 8 and 9 can be found in the specification at, for example, page 9, lines 8-11.

New claim 10 recites that the composition of claim 1 comprises from 98% to 100% by weight of (A) and (B). Support for this claim can be found in the specification at, for example, page 20, Examples 1-4 and 6.

In the Office Action, claims 1-4 are rejected under 35 U.S.C. §112, second paragraph; claims 1-4 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,483,001 to Hert ("Hert"); and claim 1 is rejected under §102(b) as being anticipated by U.S. Patent 4,612,349 to Nicco et al. ("Nicco").

In view of the amendments and remarks herein, Applicants respectfully request reconsideration and withdrawal of the rejections set forth in the Office Action.

I. Rejection of Claims 1-4 Under 35 U.S.C. §112

Claims 1-4 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

According to the Office Action, the recitation in claim 1 of the Melt Flow Index by a bare number of the functionalized polyolefin (A) as "having an MFI of at least 20 (190°C/2.16 kg)" without defining units, such as "dg/min." or "g/10min.", renders the claims vague and confusing.

In addition, the Office Action states that the term "advantageously" at claim 4, line 2, is neither clear nor concise as to what it is intended to signify.

By this Amendment, claim 1 has been amended to add the recitation "--g/10min.--" after the number "20" relative to the MFI, and claim 4 has been amended to delete the term "advantageously".

In view of these amendments, Applicants respectfully submit that claims 1-4 are not indefinite.

II. Rejection of Claims 1-4 Under 35 U.S.C. §102(b)

Claims 1-4 are rejected under 35 U.S.C. §102(b) as being anticipated by Hert.

Hert is cited for teaching the manufacture of a crosslinked composition comprising a functionalized polyolefin (A) selected from ethylene/alkyl(meth)acrylate/maleic anhydride copolymers, that comprise from 0.2 to 10% by weight of maleic anhydride and from 5 to 40% by weight of alkyl (meth)acrylate, and have an MFI of at least 20 (190°C/2.16 kg); and a product (B) having the role of crosslinking (A), wherein (B) may be an ethylene/alkyl(meth)acrylate/unsaturated epoxide copolymer which can contain up to 40% by weight of alkyl(meth)acrylate and up to 10% by weight of unsaturated epoxide. Hert is also cited for teaching that copolymer (A) may include 1-6% by weight of a carboxylic anhydride and 15-39% by weight of at least one alkyl(meth)acrylate, for production of a copolymer having an MFI of from 1 to 50 dg/min. The reference is further cited for teaching that copolymer (B) may include 1-15% by weight of an unsaturated epoxide and 3-30% by weight of at least one alkyl(meth)acrylate.

Applicants respectfully submit that claims 1-4 and new claims 8-10 are not anticipated by Hert.

Claim 1 has been amended herein to recite that the claimed composition is "slush-moldable" and contains from 80.9% to 100% by weight of (A) and (B).

Hert does not teach or suggest that the thermoplastic composition therein is slush-moldable. Rather, Hert teaches that the thermoplastic composition is injection-moldable (see, e.g., col. 4, lines 37-39, and cols. 5-6, Examples 2, 3 and 5-7).

Furthermore, the only composition disclosed in Hert which the patent teaches is moldable is the thermoplastic composition. Such composition therein comprises at least

40% by weight and not more than 70% by weight of a crosslinked polymer phase obtained by blending copolymers (a) and (b) and compound (c). The Hert composition further comprises at least 30% by weight and not more than 60% by weight of at least one saturated polyester. Although Hert teaches a crosslinked polymer phase containing copolymers (a) and (b) and component (c), Hert does not teach that this polymer phase in crosslinkable form is itself moldable, more particularly, slush-moldable. Thus, the composition disclosed in Hert to be moldable contains no more than 70% by weight of the crosslinked polymer phase. As stated above, instant claim 1 has been amended to state that the claimed crosslinkable composition contains from 80.9% to 100% by weight of (A) and (B).

Thus, Hert does not teach or suggest a slush-moldable composition containing 80.9% to 100% by weight of (A) and (B). Hert does not teach or suggest that any moldable composition may contain from 80.9% to 100% by weight of (A) and (B). Instead, Hert teaches an injection-moldable composition containing no more than 70% by weight of a crosslinked polymer phase obtained by blending (a)-(c).

Therefore, for at least the foregoing reasons, Applicants respectfully submit that Hert does not anticipate claim 1 nor claims 2-4 and 8-10 (which depend upon claim 1).

III. Rejection of Claim 1 Under 35 U.S.C. §102(b)

Claim 1 is rejected under §102(b) as being anticipated by Nicco.

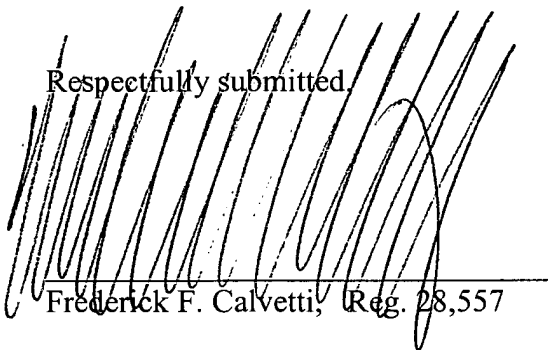
Nicco is cited for disclosing the manufacture of a crosslinked composition comprising a functionalized polyolefin (A) having an MFI of at least 20 (190°C/2.16 kg) containing an anhydride and a product (B) having the role of crosslinking (A).

Claim 1 has been amended to recite that (B) is selected from copolymers of ethylene and an unsaturated epoxide. Nicco does not teach or suggest the use of copolymers of ethylene and an unsaturated epoxide. Therefore, for at least this reason, Applicants submit that claim 1 is not anticipated by Nicco.

IV. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request that the rejections set forth in the Office Action be withdrawn and that claims 1-4 and 8-10 be allowed.

Respectfully submitted,



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